Supreme Court, U.S.
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No. 10-411

In The
Supreme Court of the United States

WILLIAM M. WINDSOR,
Petitioner

v.

JUDGE ORINDA D. EVANS, Appellee
MAID OF THE MIST CORPORATION and
MAID OF THE MIST STEAMBOAT COMPANY, LTD.,
Respondents

On Petition for Writ of Certiorari
To The United States Court of Appeals for The Eleventh Circuit

SUPPLEMENTAL BRIEF IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 29.6 Petitioner states the following:

This petition is filed on behalf of an individual.

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INTRODUCTION

My name is William M. Windsor. I am the Petitioner, and I am pro se. I have decided to write this Supplemental Brief in first person. I have never written a Supplemental Brief before, but Supreme Court Rule 15 says a brief should be stated in plain terms, so here goes.

I am not including the sections of the Petition that would simply be repeated as to do so seems to be contrary to what a Supplemental Brief should be.

SUPPLEMENT TO REASONS FOR GRANTING THE PETITION

Since the Petition for Writ of Certiorari was filed, there have been several important developments.

1. Motion to Compel Production for In Camera Inspection has been filed.
2. Violation of My Constitutional Rights by the District Court and the Eleventh Circuit has Increased.
3. The Appellee and the Respondents did not file a Brief in Opposition.
4. I have filed Petitions for Writ of Mandamus that amplify key issues in this Petition.
5. My Application for Stay was filed and denied.

THIS COURT CAN VERY SIMPLY DETERMINE THAT THERE WAS FRAUD UPON THE COURTS IN THE UNDERLYING APPEAL AND DISTRICT COURT CASE BY HAVING A LAW CLERK OR ANY ASSISTANT SPEND 60 SECONDS INSPECTING TWO DOCUMENTS IN CAMERA.

One of the clerks of this Court returned my first Motion to Compel Production for In Camera Inspection explaining that it was unacceptable to file such a motion in a petition for writ of certiorari. I didn't know that. He advised me that I could file such a motion with a petition for writ of mandamus. As I was planning to file a mandamus petition to disqualify the District Court judge in the underlying matter, I filed the mandamus petition along with a Motion to Compel Production for In Camera Inspection.

If it is possible for you to consider this motion as part of your deliberations on this Petition, please do so. Surely your supervisory or inherent powers allow this. As this Petition is all about judicial and attorney fraud upon the courts and corruption centered on two documents, it could not be simpler for you to determine independently if I am right about what I have charged. Have someone spend 60 seconds with the two documents and the exhibits to my motion. If the documents filed under seal with Judge Evans in one of the underlying cases do not match the documents attached to my Motion for Production for In Camera Inspection, fraud upon the courts is proven. 60 seconds is all it will take. With fraud upon the court proven in regard to the documents that were the reason for the actions that

led to this appeal, it should be a simple matter to resolve this Petition. Fraud vitiates everything, or so I am told.

VIOLATION OF MY CONSTITUTIONAL RIGHTS BY THE DISTRICT COURT AND THE ELEVENTH CIRCUIT HAS INCREASED.

The focus of my Petition is the dishonesty, corruption, and violation of my Constitutional rights by the federal courts in Atlanta, Georgia.

While I realize that a Petition for Writ of Certiorari normally deals only with the facts that are the subject of the appeal, I have asked this Court to exercise its supervisory powers. In this regard, I believe that the latest developments underscore the problem.

The Eleventh Circuit has corruptly and illegally punished me for my efforts in seeking to expose corruption in the federal courts in Atlanta, Georgia by awarding sanctions in the amount of $37,333.67 in legal fees and costs to the Plaintiffs who were merely bystanders in the appeal of an order quashing a discovery subpoena to Judge Evans. The Eleventh Circuit did not allow my timely opposition to be considered, ignored my motion for a hearing, ignored and voided the filing of several of my motions, and ignored the financial information that I filed under seal for an in camera inspection. Neither the Eleventh Circuit nor the District Court made any inquiry into my ability to pay, as required by law. While no judgment was

ever issued by the Eleventh Circuit, and while a motion for reconsideration was pending, the District Court Clerk wrongly issued a Writ of Execution. The Plaintiffs filed liens on the assets of my wife (who is not involved in any litigation) and me, and they are proceeding with all types of actions while the District Court judge aids their wrongful efforts by ignoring my motions.

I have filed several motions for stay with the District Court, but they have been ignored. I recently submitted another Motion for Stay to the District Court, but Judge Duffey instructed the District Court Clerk to refuse the filing and return it to me with instructions to submit a Request for Specific Approval to file. (See Civil Action No. 1:09-CV-01543-WSD Docket – September 24, 2010, and note Docs. 86 and 92.)

On October 20, 2010, I received an email from Judge Duffey's courtroom assistant, Ms. Jessica Birnbaum, with copies of two orders issued in Civil Action No. 1:09-CV-02027-WSD ("MIST-2"), the other case being handled by Judge Duffey. One order grants the Defendants' motions to dismiss the case, even though the case had been stayed and I had not yet been given a timeline for filing my responses. The other order requires me to respond to a motion for sanctions for filing the lawsuit. These orders were issued while the case was under a stay order issued by Judge Duffey due to three recent eye surgeries and related medical problems.

There is also an appeal pending in MIST-2 with the Eleventh Circuit as well as the Petition for

Writ of Mandamus to have Judge Duffey disqualified in the Deposition Action and MIST-2 that was recently filed with this Court. Judge Duffey was sent copies of each of these filings when they were sent to this Court.

Judge Duffey has refused to file a number of motions and evidence that I submitted to the Court in MIST-2 as he enacted his own law that nothing could be filed without his permission. Rather than ruling on items presented, they just fell into a dark hole. Motions and evidence that Judge Duffey has hidden over the last five (5) months include: 35th Declaration of William M. Windsor that provided uncontroverted proof of all of Windsor's claims in the lawsuit; Motion for Stay; Objection to September 23 2010 Order – Motion for Reconsideration; Motion for Extension on Motions to Dismiss and Motions for Summary Judgment; Motion to Exceed Page Limit; Motion to Add Doe Defendants; Motion to Convert Motions to Dismiss to Motions for Summary Judgment; Emergency Motion for Continuance; Motion for Default; Motion to take Judicial Notice of Evidence filed in the Related Cases; Motion to Remove Filing Restrictions; Motion to Strike Answer; Motion for Approval to file Brief on Judicial Immunity; Motion for Hearing on Motion for Preliminary Injunction that Judge Duffey failed to ever schedule; Motion for Request for Conference; Notice of Filing of Petition for Writ of Mandamus with The Supreme Court.

Judge Duffey has similarly refused to file a number of motions and evidence that I submitted to the Court in the Underlying Action as the Clerk of

the Court claims she was told that he issued an "oral order" that nothing could be filed without his permission. The following filings disappeared into a dark hole: Motion for In Camera Inspection; Motion for Stay; Motion for Conference; Motion for Protective Order. Other motions were ignored as Judge Duffey had not issued an order in this case in over a year. The motions ignored include a Motion for Recusal; Motion to Expunge; Motion for protective Order; Motion for Stay; and another Motion for Protective Order.

In MIST-2, Judge Duffey abused his discretion by refusing to recuse himself; erred by issuing orders when the case is stayed; erred by not allowing me to respond to the motions; abused discretion by refusing to allow my motions and evidence to be filed; abused discretion by granting motions to dismiss when most of the defendants submitted affidavits with their motion to dismiss and thus converted the motion to a motion for summary judgment; abused discretion by denying any discovery by me; denied me leave to amend the complaint; abused discretion by refusing to give judicial notice to the evidence filed in the companion cases that were the basis for the action; abused discretion by refusing to lift the seal on non-privileged documents that would prove my case; and abused its discretion by ignoring my motion for stay filed on October 11, 2010 and by ignoring the appeal filed on September 23, 2010.

Judge Duffey is a corrupt federal judge who will write and do anything in an effort to protect himself and his corrupt neighbor, Judge Orinda D.

Evans. His actions in issuing these recent orders without notice while the case was stayed is par for the course with him. I suspect he will similarly punish me by ignoring the facts and the law and the stay that should be in effect in the underlying action. This makes it an even bigger emergency for this Court to act on my Petition for Writ of Mandamus to Disqualify Judge Duffey.

Judge Duffey is hopelessly biased and has absolutely no business presiding in any matter involving me. Judge Duffey branded me **evil and mentally and financially incapable.** On June 30, 2009, an Order to Quash the Deposition of Judge Evans was issued by Judge Duffey. [Doc. 32.] The order described me as "scurrilous and irresponsible." SCURRILOUS is defined as EVIL; using or given to coarse language; vulgar. IRRESPONSIBLE is defined in legal terms as NOT MENTALLY OR FINANCIALLY FIT TO ASSUME RESPONSIBILITY. This was written by a man who did not know me, had never even seen me or spoken with me, and who made such a statement and decision based solely on my three uncontroverted sworn affidavits. My testimony and evidence stood alone as the record before the court.

I am not scurrilous and irresponsible. The only explanation for this slander is that Judge Duffey was predisposed to bias against me because I had the audacity to try to depose Judge Evans to obtain information that was available only from Judge Evans that I desperately needed to reopen the case in the Underlying Actions.

On October 22, 2010, I had a new civil action delivered to the Filing Clerk of the United States District Court for the Northern District of Georgia. All of the necessary paperwork was in order, and $455 in cash for the filing fee was hand-delivered to the Filing Clerk.

I sent a letter with the filing asking the Filing Clerk to call me with the case number and to advise when the signed Summons' forms would be ready for pickup. I also stressed the urgency of my Motion for Temporary Restraining Order and asked that a hearing be set immediately.

Because I had not received a call from the Filing Clerk, I called at 1:25 pm on October 25, 2010 and spoke to Miss Anniva Sanders ("Miss Sanders"), one of the filing clerks who I have worked with on several trips to the Clerk's office since 2009. I asked Miss Sanders for the case number and whether the Summons' forms were ready.

Miss Sanders told me: "We haven't filed anything. We are waiting for judges' orders." I asked: "What judges?" Miss Sanders asked me to hold. After ten minutes of silence, Margaret Callier ("Ms. Callier") came on the line at 1:35 pm. She said she was Operations Manager. She told me: "Your civil action has not been filed yet. There are people ahead of you. I don't know when it will be done." I asked who the judges are that Miss Sanders was waiting to get orders from. She replied: "I don't know anything about what Miss Sanders did or said." I tried to find out what was going on, but Ms.

Callier would not provide any information. She promised to call back before the end of the day.

At 4:56 pm, Ms. Callier called me to advise: "A determination is being made as to whether the new complaint complies with previous orders by Judge Duffey and Judge Evans." She said "a judge" was looking at it. She would not say whether that was Judge Duffey or Judge Evans, both named parties in the new complaint. She said she couldn't say who was looking at it. She would provide no other information.

Both Judge Duffey and Judge Evans have refused to file a number of motions and evidence that I submitted to the courts over the last year and a half. Rather than ruling on items presented, they just fell into a dark hole.

Miss Sanders has been involved in some of this refusal to file documents. On September 23, 2010, I had a courier deliver several motions to be filed to the Filing Clerk. The presented the documents to Miss Sanders. Though there was no restriction of any type on filing in Civil Action No. 1:09-CV-01543-WSD, she refused to file them.

The courier called me at the time, and I called and spoke to Miss Sanders. She told me that she had been advised "by Chambers" to refuse to file the motions. Miss Sanders ultimately told me that I needed to call the Chambers of Judge Duffey.

I was told that Judge Duffey issued an "oral order" requiring that I first seek specific approval

before filing anything. The excuse was that I had requested a stay due to my eye problems, and the case was closed. As the court Docket shows, the Plaintiffs were allowed to file Docket Nos. 55, 56, 75, 76, 77, 82, 83, and 84 between June 17 and September 3, 2010 after the case was closed, while I was having eye surgeries, and without any requirement to request specific approval to file. The Docket also shows that my motions for stay Docket 63 (July 19, 2010), Docket 79 (August 6, 2010), Docket 80 (August 26, 2010) were ignored by Judge Duffey. This is but one of many examples of bias by Judge Duffey.

When the courier returned the motions to me, he said that when he presented the documents to Miss Sanders, she made a telephone call. She then informed the courier that she was unable to file the motions on "orders from Chambers."

I sent a Petition for Writ of Mandamus to disqualify Judge Duffey to this Court, but it was returned by Erik Fossum with a letter noting some corrections that are needed. It was resubmitted on November 5, but for some strange reason, it has not been assigned a case number....

The verified complaint that I sent to the United States District Court for filing on October 22, 2010 that was hijacked by Miss Sanders is a lawsuit against the United States District Court for the Northern District of Georgia, Miss Sander's boss James N. Hatten, the United States Court of Appeals for the Eleventh Circuit, Federal Judges Orinda D. Evans ("Judge Evans"), William S. Duffey,

Jr. ("Judge Duffey"), Joel F. Dubina ("Judge Dubina"), James Larry Edmondson ("Judge Edmondson"), Rosemary Barkett ("Judge Barkett"), Edward Earl Carnes ("Judge Carnes"), Frank M. Hull ("Judge Hull"), Stanley Marcus ("Judge Marcus"), and William H. Pryor, Jr. ("Judge Pryor").

I am confident that I can show that these federal judges are corrupt and have conspired to damage me. An online legal dictionary defines corrupt as "having an unlawful or evil motive; *especially* characterized by improper and usually unlawful conduct intended to secure a benefit for oneself or another." This description properly defines these federal judges.

I submit that judges do everything possible to protect fellow judges. As a 32-year veteran of the Northern District of Georgia and as a former Presiding Judge, I submit that Judge Evans is a senior judge who is being protected by her fellow judges.

In this case, every federal judge in the Eleventh Circuit is friends with Judge Evans. This friendship has nothing to do with me or my litigation. It has everything to do with a PERSONAL relationship with Judge Evans. This is a bias for Judge Evans.

That form of bias requires recusal, just as EVERY federal judge in Atlanta just did regarding Judge Jack Camp, a federal judge for 20 years less time than Judge Evans.

Judge Camp paid $160 for cocaine and Roxycodone for his stripper girlfriend, and he had two handguns in his car. The federal judges recused themselves for one reason: their friendship with Judge Camp.

Not all of the federal judges in Atlanta are messing around with strippers and buying cocaine. But many are committing the same crimes that Judge Evans and Judge Duffey commit. In my opinion, they ignore the facts and the law to remain in the case regarding Judge Evans so they can protect each other from being exposed for rampant corruption.

28 U.S.C. § 455 requires recusal when a judge has an interest that could be substantially affected by the outcome of the proceeding. In this situation, every federal judge in Atlanta has an interest in hiding the corruption. If I blow the lid wide open on the dishonesty and corruption, many of these judges will likely be indicted and will resign or be impeached. That's "substantially affected by the outcome of the proceeding." I also hope to call all of the federal judges in Atlanta as material witnesses in these matters as they all have information about the dishonesty and corruption.

The whole idea of justice requires a fair trial with an impartial judge. Applying the reasonable person analysis to this situation, any reasonable person would question the impartiality of the judges with their friend, Judge Evans.

I personally took another verified complaint to the Clerk of the Court for the Northern District of Georgia on October 26, 2010, and Ms. Gutting said she could not file it. She file stamped yellow Post-Its that she adhered to each of the documents.

As I type this, it is November 15, 2010, and my new lawsuits and motions for TROs have not been filed. The first has been denied for 24 days and counting, and the second has been hidden for 20 days. This clearly establishes that I have been blocked from access to the courthouse in violation of the Constitution, statutes, and a host of case law.

I have nowhere to turn but this Court.

THE APPELLEE AND THE RESPONDENTS DID NOT FILE A BRIEF IN OPPOSITION.

The Appellee and the Respondents did not file a Brief in Opposition. This is a very interesting development.

Supreme Court Rule 15.2 says: "In addition to presenting other arguments for denying the petition, the brief in opposition should address any perceived misstatement of fact or law in the petition that bears on what issues properly would be before the Court if certiorari were granted. Counsel are admonished that they have an obligation to the Court to point out in the brief in opposition, and not later, any perceived misstatement made in the petition. Any objection to consideration of a question presented

based on what occurred in the proceedings below, if the objection does not go to jurisdiction, may be deemed waived unless called to the Court's attention in the brief in opposition."

So, by choosing to not file a brief in opposition, I submit that this Court has learned a lot. The Respondents were unable or unwilling to claim there is any misstatement of fact or law in my Petition, and they have lost the right to make any such claims.

I personally cannot imagine being accused of being a criminal and having nothing to say about it...unless I was a criminal. If I was part of the legal/judicial system, and someone said that my system and I were corrupt, I would most definitely respond...unless I was guilty and the system is corrupt.

This Court should be aware that there are no affidavits by the Plaintiffs or Judge Evans in the underlying case. Not a one. In 2009 and 2010, the Plaintiffs did not file a single sworn affidavit regarding the facts in the original civil action, 1:06-CV-0714-ODE or the Underlying Action. According to Local Rule 7.1A.(1) in the Northern District of Georgia, "Every motion presented to the clerk for filing shall be accompanied by a memorandum of law which cites supporting authority. If allegations of fact are relied upon, supporting affidavits must be attached to the memorandum of law."

My affidavits are sworn under penalty of perjury before a notary. Every motion, response, or

reply that I field was accompanied by a sworn affidavit, or there was a verification.

According to my self-education in law (and a lifetime of enjoying all the legal dramas on TV), everything that I have learned and common sense tells me that if there are no facts and no testimony for one side, that side can't win if facts are essential to the issue. Yet in the underlying case, it was my word against no word. My facts against no facts. I may not have properly made this point in my Petition. The federal judges in Atlanta did not make a "mistake" on this point of error, because I flagged it up in big bold letters. They intentionally ignored this because they are dishonest and wanted to rule against me rather than rule against one of their fellow judge friends.

There is no legal or factual basis whatsoever for the decisions of the lower courts in this matter. The rulings were issued for corrupt reasons. Many of the judges in the Northern District of Georgia and the Eleventh Circuit are corrupt and violate laws and rules, as they have done in this case. The Supreme Court must recognize this Petition as one of the most serious matters ever presented to this Court.

I imagine the last thing you would ever want to do is have a pro se party come and present an oral argument before your Court. Needless to say, I would love the opportunity. I have been an award-winning speaker my whole life, and I would debate any of these judges anywhere anytime on the law, and I will win.

I HAVE FILED PETITIONS FOR WRIT OF MANDAMUS THAT AMPLIFY KEY ISSUES IN THIS PETITION.

The key questions that I presented in my Petition for Writ of Certiorari are:

1. Whether federal courts must be stopped from operating corruptly and ignoring all laws, rules, and facts.

2. Whether the Supreme Court is prepared to declare the Constitution and its amendments null and void.

I have filed petitions for writs of mandamus to disqualify Judge William S. Duffey, the District Court judge in the underlying case, and one to disqualify all of the judges of the Eleventh Circuit. I have a third one that will not be filed until a day or two after I file this as I asked the printer to print this one first. The third one is to disqualify Judge Orinda D. Evans, the judge in the original lawsuit who created this underlying action by filing a motion in her own court.

These petitions explain what has taken place to the best of my ability. This isn't easy because I am incredibly detailed in everything that I do, and there is so much wrongdoing that it is simply overwhelming. The Appendixes provide a lot of proof, and the dockets contain it all.

If you can consider these petitions for mandamus as part of the consideration of this Petition for Writ of Certiorari, it may be helpful to you.

MY APPLICATION FOR STAY WAS FILED AND DENIED.

Judges Duffey, Evans, and the judges of the Eleventh Circuit are out to get me. People will do strange things when they are faced with their lives going down the toilet with jail and impeachment on the horizon unless they can use and abuse the system to protect them.

In my case, they are sticking me with sanctions that are not justified at all; they are having the Clerk of the Court refuse to file my motions, appeals, and other filings (without any order that would prohibit any of this from being filed); and they are trying to bankrupt me.

I did my best to explain the situation in my Application for Stay. Justice Thomas denied the Application with no explanation whatsoever. To my way of thinking, the only reason to do that would be if he doubts that I am telling the truth. Or he is unwilling to disclose to the world that the federal judiciary is more corrupt than the Mafia.

I hope this Court will issue a stay and reverse the decision of Justice Thomas.

THIS IS A 1.1% CASE IF THERE EVER WAS ONE.

According to several reports that I have read online, only 1.1% of the Petitions for Writ of Certiorari that were presented to you a year ago were granted.

The issue here is corruption in the federal judiciary. Violations of the most basic Constitutional rights by the very people who are supposed to be the guardians of those rights. I cannot imagine how there could be a more important issue presented to you for consideration. This Petition gives this Court the ability to address an issue of vital importance to every American. I am one of many who have been victimized by this corruption, but your action in dealing with this issue will serve to benefit all of the others.

CONCLUSION

As distasteful as it will be for this Court to acknowledge corruption and criminal acts with federal judges in Atlanta, Georgia, this Court must do so. To do otherwise will violate every oath that the justices have ever taken.

There is NOTHING whatsoever right with any of the decisions of the district courts and the Eleventh Circuit in this and related matters. The facts are that I have always been totally in the right. The law provides that I should have always prevailed on every meaningful issue. These judges have knowingly violated the law and the rules to

protect Judge Orinda D. Evans from criminal prosecution and impeachment. There is nothing legally, ethically, or morally right about what these judges have done.

For all the above reasons, I now respectfully prays that this Court grant a Writ for Certiorari to review the judgment and opinions of the Eleventh Circuit.

This Court should ask the House and Senate Judiciary Committees to investigate the federal judiciary in Atlanta.

This Court should remand this matter to a different circuit where my Constitutional rights might be honored.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the facts in the foregoing Supplemental Brief are true and correct and other information is true to the best of my knowledge.

Executed this ___ day of November 2010.

_____

William M. Windsor